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# **San Diego City Attorney**

## **MICHAEL J. AGUIRRE**

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### **MEDIA ADVISORY**

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### **CITY ATTORNEY RELEASES INTERIM REPORT #3 REGARDING VIOLATIONS OF STATE AND LOCAL LAWS RELATED TO THE CITY'S PENSION FUND**

**San Diego, CA:** City Attorney Michael Aguirre released Interim Report #3, which is the City Attorney's independent investigation into whether there were violations of state and local laws relating to the underfunding of the San Diego City Employees' Retirement System. After months of legal research and investigation, Interim Report #3 concludes that violations of state law, the California Constitution, the San Diego City Charter and the Municipal Code were made by City Officials. The Report also contains recommendations for resolving the pension deficit, which is currently \$1.4 billion and growing each day.

"Our Office is releasing Interim Report #3 because the taxpayers of San Diego need to be well-informed about the City's financial and legal problems that are a result of the underfunding of the pension fund, while expanding benefits," said City Attorney Michael Aguirre. "Also, Interim Report #3 provides the public with critical information about how to fix the City's current financial crisis."

Interim Report #3 was prepared by Deputy City Attorney Don McGrath, head of the City Attorney's Pension Strike Force Team, and a former civil litigator in private practice, specializing in securities litigation.

This morning at 10:30 a.m., Interim Report #3 was hand-delivered to the Mayor, City Council and City Manager. The City Attorney is not available for interviews. An electronic version of Interim Report #3 will be posted by 2 p.m. on the City Attorney's Web site: [sandiegocityattorney.org](http://sandiegocityattorney.org). In addition, copies of the report can be purchased at the City Clerk's Office.

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